

Northwinds Farm
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Dear Ms. Tilton,

I support a great many of the changes put forth. Reducing the costs and time associated with filing wetlands applications will be very helpful to NH Farmers. Removing the requirement of Conservation Commission Approval should help to stream line the process without reducing the protection of NH wetlands.

However, I am very concerned that the current Best Management Wetlands Practices for Agriculture 2018 has been poorly written. It appears that someone has taken NRCS standards for Federally funded projects and turned them into a standard for NH Farmers. For example, on page 142 of the BMWP for Ag, if a farmer wants a waiver to use phosphorus fertilizer on land that already has a high phosphorus level, he must apply to the Chief of NRSC in Washington DC. I'm not sure that if a farmer hired a CWS to develop a plan that the Chief of NRSC would see it in his job description to make such a ruling.

Another good example is the fencing standard starting on page 100. This level of fencing is great if you have federal dollars to spare, but most farmers have been spending much less money over the years to keep their animals in.

A third example on page 143 the BMPs suggest that we develop a site-specific yield maps using a yield monitoring system. Most farmers in NH are small and use tow behind choppers to harvest silage. They do not have yield monitoring systems. This technology is only available on self-propelled choppers. This would require a farmer to make a half to three quarter of a million-dollar investment or to hire custom harvesting. There are not enough custom harvesters using self-propelled choppers to harvest our crop in a timely manner, hence NH farms would be forced to put-up low-quality forage driving up the cost of making milk.

Farming is a unique industry; our pricing system does not allow for us to pass costs off to our customers. Utilities can recover their expenses through regulated pricing, and developers pass the cost off to their customers. Dairy farming especially has been under tremendous price pressure in recent years. So when you take Federal standards that are written for Federally funded projects and then through the back door make them the law of New Hampshire. We need our own affordable specs if you are going to tie it to

By the end of 2019 there will be less then 90 dairy farms in NH. Most of these farms crop in floodplains. This is not the time to increase the cost of production through regulations. If your intentions are to use the nutrient management planning section of the BMPs to regulate Agriculture in the floodplain then I would encourage you to rewrite the BMPs prior to enacting these rule changes.

NRCS is not always available to design projects that are not receiving their cost share. Under these new rules farmers would have to hire Certified Wetlands Scientists to do the simplest of design work. Some of these projects have almost zero impact on wetlands. Maybe the Extension Service could be employed to give classes to certify farmers on simple designs. Then allow the farmer to design the

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project. NH Dept of Ag has used the Extension Service for years to run classes for farmers on pesticides. It is a requirement for us to attend 15 credit hours over 5 years to maintain our pesticide license.

A couple of more specific issues with a couple of your definitions:

102.32

Once upon a time NH was mostly ag land. Today we are mostly woods and development. Loosing the ability to farm land that has been farmed for years because it laid fallow for 5 years seems short sighted. I would think trying to keep land farming has a larger benefit to the overall ecosystem of NH then even protecting wetlands. May I suggest the following:

“Continued agricultural use” means that a wetland has been used managed or otherwise maintained as cropland or pasture for agricultural purposes within the last 15 years.

102.35

Today NH Agriculture is becoming more diversified. I would encourage you to broaden the crops listed. May I suggest the following:

“Cropland” means land that is used to produce grow plant species adapted for harvest, alone or in rotation with grasses and legumes. The term and includes areas dedicated to vegetables, fruit, grain, hay, pasture, forage, sod, nursery stock, orchards, fiber, silviculture pasture, hops, vineyards, and similar products.

Thank you for your time in considering these matters.

Scott R. Mason
Northwinds Farm